



STATE OF WISCONSIN

Assembly Journal

One-Hundredth Regular Session

2:00 P.M.

MONDAY, January 3, 2011

The Assembly met in the Assembly Chamber located in the State Capitol. Pursuant to Section 13.02 of the Wisconsin Statutes and Assembly Rule 5, the Assembly was called to order by the Chief Clerk of the 2009-2010 session, Patrick Fuller.

The prayer was offered by Father Robert A. Wild, president of Marquette University in Milwaukee:

“On this day of new beginnings, rightly we pause to call upon our God, to bless the work of this new session of the Wisconsin State Assembly. For its newest members we are grateful, Lord, for their desire to dedicate themselves in this way to the service of their fellow citizens. Bless them, gracious God, and help them to remain committed to this deeply important goal. For those returning to this legislative body, we thank you, gracious God, for their renewed and generous commitment in public service on behalf of the people of this State. Bless them, Lord, and enliven anew in them the ideals that first inspired them to undertake public service and political life.

For all the elected members of this Assembly and for all who staff this body and its individual members, we turn to you, Lord our God, and, paraphrasing a portion of an ancient prayer attributed to King Solomon, we beg you to grant each and all of them a very special gift, a sacred gift, the gift of holy Wisdom: God of our ancestors, Lord of mercy, who by your word have made all things and in your wisdom have fitted human persons to rule over the creatures that have come from you, to govern the world in holiness and justice and in honesty and integrity to wield authority, grant these men and women the gift of wisdom, the wisdom that stands beside your heavenly throne, a wisdom which will enable them to know and to accomplish what is truly right and just...

May this gift of wisdom help the members of this Assembly to make thoughtful and wise decisions. May it enable them patiently to give ear to the divergent voices of their fellow citizens, not least to those of the weak and powerless. May this wisdom give them the courage to do what is right for the sake of the common good, to govern in justice, to serve always with honesty and integrity.

May this great gift of wisdom be present during all the debates that will take place in this chamber, enabling its members even in the heat of political battle to fight fairly and strongly for their views even while remaining respectful of those who differ with them. Thank you, Lord, for your continued care for these public servants; help them individually and collectively to accomplish great things in

service of the people of this State. For all this we pray and let us say amen.”

The Colors were presented by Company G, 2nd Battalion, 24th Marines, 4th Marine Division (Reinforced), Fleet Marine Forces Reserve.

Representatives-elect Janis Ringhand and Evan Wynn and Representative Ziegelbauer led the membership in reciting the pledge of allegiance to the flag of the United States of America.

Whitney Clapper from Cedarburg led the membership in singing the “Star Spangled Banner.”

COMMUNICATIONS

State of Wisconsin
Government Accountability Board
Madison

December 1, 2010

The Honorable Patrick Fuller, Chief Clerk
Wisconsin State Assembly
17 West Main Street, Suite 401
Madison, WI 53701

Dear Chief Clerk Fuller:

I am pleased to provide you with a copy of the official canvass of the November 2, 2010 General Election vote for representative to the assembly along with the determination by the Chairperson of the Government Accountability Board of the winners.

With this letter, I am delivering the Certificates of Election for the winners to you for distribution.

If the Government Accountability Board can provide you with further information or assistance, please contact our office.

Government Accountability Board,
KEVIN J. KENNEDY
Director and General Counsel

- | | |
|--|---|
| 1st - Garey D. Bies
2520 Settlement Road
Sister Bay 54234
Republican | 14th - Dale Kooyenga
15365 St. Theresa Boulevard
Brookfield 53005
Republican |
| 2nd - Andre Jacque
2390 East Ridge Terrace
Green Bay 54311
Republican | 15th - Tony Staskunas
2010 South 103rd Court
West Allis 53227
Democrat |
| 3rd - Alvin R. Ott
W2168 Campground Road
P.O. Box 112
Forest Junction 54123
Republican | 16th - Leon D. Young
2224 North 17th Street
Milwaukee 53205
Democrat |
| 4th - Chad Weininger
1589 Carole Lane
Green Bay 54313
Republican | 17th - Barbara Toles
3835 North 56th Street
Milwaukee 53216
Democrat |
| 5th - Jim Steineke
N2352 Vanderbroek
Kaukauna 54130
Republican | 18th - Tamara Grigsby
2354 North 41st Street
Milwaukee 53208
Democrat |
| 6th - Gary J. Tauchen
N3397 South Broadway Road
Bonduel 54107
Republican | 19th - Jon Richards
1823 North Oakland Avenue
Milwaukee 53202
Democrat |
| 7th - Peggy Krusick
3426 South 69th Street
Milwaukee 53219
Democrat | 20th - Christine M. Sinicki
3132 South Indiana Avenue
Milwaukee 53207
Democrat |
| 8th - JoCasta Zamarripa
1645 South 12th Street
Milwaukee 53204
Democrat | 21st - Mark Honadel
1219 Manitoba Avenue
South Milwaukee 53172
Republican |
| 9th - Josh Zepnick
3173 South 49th Street
Milwaukee 53219
Democrat | 22nd -Sandy Pasch
6301 North Berkeley Boulevard
Whitefish Bay 53217
Democrat |
| 10th - Elizabeth Coggs
2960 North 7th Street
Milwaukee 53212
Democrat | 23rd - Jim Ott
11743 North Lakeshore Drive
Mequon 53092
Republican |
| 11th - Jason Fields
5686 North 60th Street
Milwaukee 53218
Democrat | 24th - Daniel Knodl
N101 W14475 Ridgefield Court
Germantown 53022
Republican |
| 12th - Frederick Kessler
11221 West Sanctuary Drive
Milwaukee 53224
Democrat | 25th - Robert F. Ziegelbauer
P. O. Box 325
1213 South 8th Street
Manitowoc 54221-0325
Independent |
| 13th - David A. Cullen
2845 North 68th Street
Milwaukee 53210
Democrat | 26th - Mike Endsley
1829 North 27th Place
Sheboygan 53081
Republican |

- 27th - Steve Kestell
W3829 State Highway 32
Elkhart Lake 53020
Republican
- 28th - Erik Severson
2147 45th Avenue
Star Prairie 54026
Republican
- 29th - John P. Murtha
2283 20th Avenue
Baldwin 54002
Republican
- 30th - Dean Knudson
1753 Laurel Avenue
Hudson 54016
Republican
- 31st - Stephen Nass
N8330 Jackson Road
Whitewater 53190
Republican
- 32nd - Tyler August
120 Fox Lane
Walworth 53184
Republican
- 33rd - Chris Kapenga
N9W31035 Concord Court
Delafield 53018
Republican
- 34th - Dan Meyer
1013 Walnut Street
Eagle River 54521
Republican
- 35th - Tom Tiffany
4973 Willow Dam Road
Hazelhurst 54531
Republican
- 36th - Jeffrey Mursau
4 Oak Street
Crivitz 54114
Republican
- 37th - Andy E. Jorgensen
1424 Endl Boulevard
Fort Atkinson 53538
Democrat
- 38th - Joel Kleefisch
W357 N6189 Spinnaker Drive
Oconomowoc 53066
Republican
- 39th - Jeff Fitzgerald
910 Sunset
Horicon 53032
Republican
- 40th - Kevin D. Petersen
N1433 Drivas Road
Waupaca 54981
Republican
- 41st - Joan Ballweg
170 West Summit Street
Markesan 53946
Republican
- 42nd - Fred Clark
E12367 Highway W
Baraboo 53913
Democrat
- 43rd - Evan Wynn
214 Lakeview Drive
Whitewater 53190
Republican
- 44th - Joseph Knilans
1516 Winchester Place
Janesville 53548
Republican
- 45th - Amy Loudbeck
10737 South State Road 140
Clinton 53525
Republican
- 46th - Gary Hebl
515 Scheuerell Lane
Sun Prairie 53590
Democrat
- 47th - Keith Ripp
7113 County Road V
Lodi 53555
Republican
- 48th - Joseph Parisi
702 McLean Drive
Madison 53718
Democrat
- 49th - Travis Tranel
2231 Louisburg Road
Cuba City 53807
Republican
- 50th - Edward Brooks
S4311 Grote Hill Road
Reedsburg 53959
Republican
- 51st - Howard Marklein
S11665 Soeldner Road
Spring Green 53588
Republican
- 52nd - Jeremy Thiesfeldt
604 Sunset Lane
Fond du Lac 54935
Republican

- 53rd - Richard Spanbauer
3040 Sheldon Drive
Oshkosh 54904
Republican
- 54th - Gordon N. Hintz
1209 Waugoo Avenue
Oshkosh 54901
Democrat
- 55th - Dean R. Kaufert
1360 Alpine Lane
Neenah 54956
Republican
- 56th - Michelle Litjens
3765 Maxwell Road
Oshkosh 54904
Republican
- 57th - Penny Bernard Schaber
815 East Washington Street
Appleton 54911
Democrat
- 58th - Patricia Strachota
639 Ridge Road
West Bend 53095
Republican
- 59th - Daniel R. LeMahieu
W6284 Lake Ellen Drive
P. O. Box 277
Cascade 53011
Republican
- 60th - Mark Gottlieb
1205 Noridge Trail
Port Washington 53074
Republican
- 61st - Robert L. Turner
36 McKinley Avenue
Racine 53404
Democrat
- 62nd - Cory Mason
3611 Kinzie Avenue
Racine 53405
Democrat
- 63rd - Robin Vos
960 Rock Ridge Road
Burlington 53105
Republican
- 64th - Peter Barca
1339 38th Avenue
Kenosha 53144
Democrat
- 65th - John P. Steinbrink
8640 88th Avenue
Pleasant Prairie 53158
Democrat
- 66th - Samantha Kerkman
P.O. Box 156
Powers Lake 53159
Republican
- 67th - Thomas Larson
E9359 County Road N
Colfax 54730
Republican
- 68th - Kathleen Bernier
10923 40th Avenue
Chippewa Falls 54729
Republican
- 69th - Scott Suder
102 South 4th Avenue
Abbotsford 54405
Republican
- 70th - Amy Sue Vruwink
9425 Flower Lane
Milladore 54454
Democrat
- 71st - Louis Molepske, Jr.
1557 Church Street
Stevens Point 54481
Democrat
- 72nd - Scott Krug
466 Grove Avenue
Wisconsin Rapids 54494
Republican
- 73rd - Nick Milroy
South Sam Anderson Road
Superior 54874
Democrat
- 74th - Janet Bewley
810 Chapple Avenue
Ashland 54806
Democrat
- 75th - Roger Rivard
2680 17th Avenue
Rice Lake 54868
Republican
- 76th - Terese Berceau
4326 Somerset
Madison 53711
Democrat
- 77th - Brett Hulsey
110 Merrill Crest Drive
Madison 53705
Democrat
- 78th - Mark Pocan
309 North Baldwin
Madison 53703
Democrat

79th - Sondy Pope-Roberts
4793 Delmara Road
Middleton 53562
Democrat

80th - Janis Ringhand
412 Fowler Circle
Evansville 53536
Democrat

81st - Kelda Helen Roys
2215 North Sherman Avenue
Madison 53704
Democrat

82nd - Jeff Stone
5535 Grandview Drive
Greendale 53129
Republican

83rd - Scott L. Gunderson
30805 Sunset Lane
Waterford 53185
Republican

84th - Mike Kuglitsch
21865 West Tolbert Drive
New Berlin 53146
Republican

85th - Donna Seidel
807 South 20th Street
Wausau 54403
Democrat

86th - Jerry Petrowski
720 North 136th Avenue
Marathon 54448
Republican

87th - Mary Williams
542 Billings Avenue
Medford 54451
Republican

88th - John Klenke
3463 Yorkshire
Green Bay 54311
Republican

89th - John A. Nygren
N2118 Keller Road
Marinette 54143
Republican

90th - Karl Van Roy
805 Riverview Drive
Green Bay 54303
Republican

91st - Chris Danou
23951 8th Street
Trempealeau 54661
Democrat

92nd -Mark Radcliffe
376 North 12th Street
Black River Falls 54615
Democrat

93rd - Warren L. Petryk
S9840 Highway 93
Eleva 54738
Republican

94th - Mike Huebsch
419 West Franklin
West Salem 54669
Republican

95th - Jennifer Shilling
2608 Main Street
La Crosse 54601
Democrat

96th - Lee Nerison
S3035 County Road B
Westby 54667
Republican

97th - Bill Kramer
2005 Cliff Alex Court South
Waukesha 53189
Republican

98th - Paul Farrow
245 Hillwood Court
Pewaukee 53072
Republican

99th - Don Pridemore
2277 Highway K
Hartford 53027
Republican

OATH OF OFFICE

The bible used today to swear in the Members of the Wisconsin State Assembly is being accompanied by Dr. Ellsworth Brown of the Wisconsin Historical Society.

This bible was used to swear in the very first Governor of Wisconsin, Henry Dodge. Congress organized the Territory of Wisconsin on July 3, 1836, when Michigan became a state. The following day, John S. Horner, Secretary of the former Michigan Territory, was sworn in as Secretary of Wisconsin Territory, and on that same Independence Day, Horner used this bible to administer the oath of office to the newly appointed Governor of Wisconsin, Henry Dodge, at Mineral Point. In the same ceremony, Horner used this bible to swear in three of Wisconsin's new Supreme Court judges, William C. Frasier, David Irvin and Charles Dunn (father-in-law of the first Governor of the State of Wisconsin, Nelson Dewey). This historic bible, published in 1829, marks the very beginning of Wisconsin's government.

Pursuant to Article IV, Section 28 of the Wisconsin Constitution, the Honorable Justice David Prosser, Jr. of the Wisconsin Supreme Court administered the oath of office to the members en masse.

The attendance roll was called by the clerk, and the members, as their names were called, came to the desk to sign the Oath of Office book.

The roll was taken.

The result follows:

Present – Representatives August, Ballweg, Barca, Berceau, Bernard Schaber, Bernier, Bewley, Bies, Brooks, Clark, E. Coggs, D. Cullen, Danou, Endsley, Farrow, Fields, J. Fitzgerald, Gottlieb, Grigsby, Gunderson, Hebl, Hintz, Honadel, Huebsch, Hulsey, Jacque, Jorgensen, Kapenga, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Krusick, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Mason, Meyer, Milroy, Molepske Jr., Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Petryk, Pocan, Pope–Roberts, Pridemore, Radcliffe, Richards, Ringhand, Ripp, Rivard, Roys, Seidel, Severson, Shilling, Sinicki, Spanbauer, Staskunas, Steinbrink, Steineke, Stone, Strachota, Suder, Tauchen, Thiesfeldt, Tiffany, Toles, Tranel, Turner, Van Roy, Vos, Vruwink, Weininger, Williams, Wynn, Young, Zamarripa, Zepnick and Ziegelbauer – 99.

Absent with leave – None.

ELECTION OF SPEAKER

Representative Suder nominated Representative Fitzgerald for the position of Speaker of the Assembly for the One-Hundredth Regular Session of the Legislature.

There being no further nominations, the chair declared nominations closed.

Representative Suder asked unanimous consent that a unanimous ballot be cast with all members of the Assembly recorded as voting for Representative Fitzgerald for Speaker of the Assembly. Granted.

For Representative Fitzgerald – Representatives August, Ballweg, Barca, Berceau, Bernard Schaber, Bernier, Bewley, Bies, Brooks, Clark, E. Coggs, D. Cullen, Danou, Endsley, Farrow, Fields, J. Fitzgerald, Gottlieb, Grigsby, Gunderson, Hebl, Hintz, Honadel, Huebsch, Hulsey, Jacque, Jorgensen, Kapenga, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Krusick, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Mason, Meyer, Milroy, Molepske Jr., Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Petryk, Pocan, Pope–Roberts, Pridemore, Radcliffe, Richards, Ringhand, Ripp, Rivard, Roys, Seidel, Severson, Shilling, Sinicki, Spanbauer, Staskunas, Steinbrink, Steineke, Stone, Strachota, Suder, Tauchen, Thiesfeldt, Tiffany, Toles, Tranel, Turner, Van Roy, Vos, Vruwink, Weininger, Williams, Wynn, Young, Zamarripa, Zepnick and Ziegelbauer – 99.

Absent or not voting – None.

Representative Fitzgerald was elected Speaker of the Assembly for the One-Hundredth Regular Session of the Legislature.

The oath of office was administered by the Honorable Justice David Prosser, Jr. of the Wisconsin Supreme Court.

Speaker Fitzgerald in the chair.

REMARKS BY THE SPEAKER

“On November 2nd, the silent majority spoke. They don’t represent any special interest group, but what they do represent is the growing frustration about where we are heading as a country and state. They aren’t thrilled with republicans. They’re not thrilled with democrats. There have been failed policies on both sides. They demanded that we put our differences aside and move this state forward.

What makes a state exceptional is its people, not its government. Those of you taking the oath today will represent those people with your own skill set, your own experience and your own beliefs. The focus of this session must be to put people back to work and to bring fiscal prosperity back to this state. First thing is first. We must stop spending more money than we are taking in. This will be, I believe, the most difficult session anyone in this body will ever serve. But I believe it will be the most rewarding. Looking at the upcoming session reminds me of a quote I once read by Winston Churchill, “A pessimist sees the difficulty in every opportunity. An optimist sees the opportunity in every difficulty”. In order to get people back to work, we must stop the assault on business. We need to make Wisconsin competitive again. There is no single bill that will jump-start our economy. In fact, the single most important thing we can do as a body is to change the tone of the debate. Private investment is critical to new companies starting and existing companies expanding. Right now, that investment capital is sitting on the sidelines. Wisconsin cannot have tax policy that increases taxes on small businesses and job creators and expect them to grow and expand. Wisconsin cannot have a permitting process that empowers bureaucrats to slow or stop business expansion and expect private development to fight through a maze of red tape. We must not only compete with the states around us but also in the global market. Wisconsin needs to view its economic engine, the private sector, as an ally and not an adversary.

I do not expect us to agree on everything, however I hope there will be fresh ideas to move us forward. I am confident many of those ideas will come from our enormous class of new legislators, republicans and democrats. Nearly one third of this body is being sworn in for the first time. To the freshman class of 2011, welcome, enjoy this day with your families. Then put on your seatbelts. This is going to be a wild two year ride. But at the end of the day, I am confident you will be proud of your accomplishments.

Together all us in this room can make this 100th session not just memorable, but effective and meaningful. My door is always open. It is my goal to have us communicate on a personal level and not on a partisan one. I look forward to working with you all. Thank you and God bless us all.”

ELECTION OF SPEAKER PRO TEMPORE

Representative LeMahieu nominated Representative Kramer for the position of Speaker Pro Tempore of the Assembly for the One-Hundredth Regular Session of the Legislature.

There being no further nominations, the speaker declared nominations closed.

Representative Suder asked unanimous consent that a unanimous ballot be cast with all members of the Assembly recorded as voting for Representative Kramer for Assembly Speaker Pro Tempore. Granted.

For Representative Kramer – Representatives August, Ballweg, Barca, Berceau, Bernard Schaber, Bernier, Bewley, Bies, Brooks, Clark, E. Coggs, D. Cullen, Danou, Endsley, Farrow, Fields, Gottlieb, Grigsby, Gunderson, Hebl, Hintz, Honadel, Huebsch, Hulsey, Jacque, Jorgensen, Kapenga, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Krusick, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Mason, Meyer, Milroy, Molepske Jr., Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Petryk, Pocan, Pope–Roberts, Pridemore, Radcliffe, Richards, Ringhand, Ripp, Rivard, Roys, Seidel, Severson, Shilling, Sinicki, Spanbauer, Staskunas, Steinbrink, Steineke, Stone, Strachota, Suder, Tauchen, Thiesfeldt, Tiffany, Toles, Tranel, Turner, Van Roy, Vos, Vruwink, Weininger, Williams, Wynn, Young, Zamarripa, Zepnick, Ziegelbauer and Speaker Fitzgerald – 99.

Absent or not voting – None.

Representative Kramer was elected Speaker Pro Tempore of the Assembly for the One-Hundredth Regular Session of the Legislature.

The oath of office was administered by Speaker Fitzgerald.

REMARKS BY THE SPEAKER PRO TEMPORE

“Over the years, I have heard a number of people say a few words after being elected by a body to which they belong to a leadership post. The most common word that I have heard is “humbled”. I’d hear that and think, “I know you and your ego so I am just not buying it”. It may be the right thing to say, but I can assure you that I have never felt so small as I do on this day, from this perspective. It is an awe inspiring gift to be a part of something so much larger than ourselves. We, as incumbents, may forget this at times, but I implore our 30 freshmen to never lose the feeling you have today, and remember how special it is to have a place in this building and this body.

I thank everyone who voted to put their faith in me to perform the duties of Speaker Pro Tem. I would also like to thank the Chief Clerk and his staff, as well as the Sergeant-at-Arms and his staff for helping me to prepare. I would also like to thank my two predecessors in this position, the Gentleman from the 60th and the Gentleman from the 15th. They have been encouraging and great resources whenever I asked for help.

The job of the presiding officer is to “ensure that the voice of the minority is heard, while maintaining the ability of the majority to set the agenda.” I promise to do that to the best of my ability.

I thank each of you members in advance for helping me in maintaining the dignity and decorum that this institution deserves and that the 5.8 million citizens of Wisconsin, who hired us to represent them, expect.”

ELECTION OF CHIEF CLERK

Representative Meyer nominated Patrick E. Fuller for the position of Chief Clerk of the Assembly for the One-Hundredth Regular Session of the Legislature.

Representative Seidel seconded the nomination of Patrick E. Fuller for the position of Chief Clerk of the Assembly for the One-Hundredth Regular Session of the Legislature.

There being no further nominations, the Speaker declared nominations closed.

Representative Suder asked unanimous consent that a unanimous ballot be cast with all members of the Assembly recorded as voting for Patrick E. Fuller for Assembly Chief Clerk. Granted.

For Patrick E. Fuller – Representatives August, Ballweg, Barca, Berceau, Bernard Schaber, Bernier, Bewley, Bies, Brooks, Clark, E. Coggs, D. Cullen, Danou, Endsley, Farrow, Fields, Gottlieb, Grigsby, Gunderson, Hebl, Hintz, Honadel, Huebsch, Hulsey, Jacque, Jorgensen, Kapenga, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Krusick, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Mason, Meyer, Milroy, Molepske Jr., Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Petryk, Pocan, Pope–Roberts, Pridemore, Radcliffe, Richards, Ringhand, Ripp, Rivard, Roys, Seidel, Severson, Shilling, Sinicki, Spanbauer, Staskunas, Steinbrink, Steineke, Stone, Strachota, Suder, Tauchen, Thiesfeldt, Tiffany, Toles, Tranel, Turner, Van Roy, Vos, Vruwink, Weininger, Williams, Wynn, Young, Zamarripa, Zepnick, Ziegelbauer and Speaker Fitzgerald– 99.

Absent or not voting – None.

Patrick E. Fuller was elected Chief Clerk of the Assembly for the One-Hundredth Regular Session of the Legislature.

The oath of office was administered by Speaker Fitzgerald.

ELECTION OF SERGEANT-AT-ARMS

Representative Gottlieb nominated Anne Tonnon Byers for the position of Sergeant-at-Arms of the Assembly for the One-Hundredth Regular Session of the Legislature.

Representative Staskunas seconded the nomination of Anne Tonnon Byers for the position of Sergeant-At-Arms of the Assembly for the One-Hundredth Regular Session of the Legislature.

There being no further nominations, the Speaker declared nominations closed.

Representative Suder asked unanimous consent that a unanimous ballot be cast with all members of the Assembly recorded as voting for Anne Tonnon Byers for Assembly Sergeant-at-Arms. Granted.

For Anne Tonnon Byers – Representatives August, Ballweg, Barca, Berceau, Bernard Schaber, Bernier, Bewley, Bies, Brooks, Clark, E. Coggs, D. Cullen, Danou, Endsley, Farrow, Fields, Gottlieb, Grigsby, Gunderson, Hebl, Hintz, Honadel, Huebsch, Hulsey, Jacque, Jorgensen, Kapenga, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Krusick, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Mason, Meyer, Milroy, Molepske Jr., Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Petryk, Pocan, Pope–Roberts, Pridemore, Radcliffe, Richards, Ringhand, Ripp, Rivard, Roys, Seidel, Severson, Shilling, Sinicki, Spanbauer, Staskunas, Steinbrink, Steineke, Stone, Strachota, Suder, Tauchen, Thiesfeldt, Tiffany, Toles, Tranel, Turner, Van Roy, Vos, Vruwink, Weininger, Williams, Wynn, Young, Zamarripa, Zepnick, Ziegelbauer and Speaker Fitzgerald– 99.

Absent or not voting – None.

Anne Tonnon Byers was elected Sergeant-at-Arms of the Assembly for the One-Hundredth Regular Session of the Legislature.

The oath of office was administered by Speaker Fitzgerald.

COMMUNICATIONS

November 10, 2010

Mr. Patrick Fuller
Assembly Chief Clerk
Room 401, 17 West Main Street
Madison, Wisconsin 53703

Dear Chief Clerk Fuller:

Pursuant to Assembly Rule 2 (2), the following officers have been duly elected by the Assembly Democratic Caucus:

Minority Leader: Peter Barca
Assistant Minority Leader: Donna Seidel
Minority Caucus Chair: Kelda Helen Roys

Minority Caucus Vice-Chair: Fred Clark
Minority Caucus Secretary: Penny Bernard Schaber
Minority Caucus Sergeant-at-Arms: Josh Zepnick

Sincerely,
KELDA HELEN ROYS
Democratic Caucus Chair

November 11, 2010

Mr. Patrick Fuller
Assembly Chief Clerk
Room 401, 17 West Main Street
Madison, Wisconsin 53703

Dear Chief Clerk Fuller:

Pursuant to Assembly Rule 2 (2), the following officers have been duly elected by the Assembly Republican Caucus:

Majority Leader: Scott Suder
Assistant Majority Leader: Dan Knodl
Majority Caucus Chair: Scott Gunderson
Majority Caucus Vice-Chair: John Murtha
Majority Caucus Secretary: Mary Williams
Majority Caucus Sergeant-at-Arms: Gary Tauchen

Sincerely,
SCOTT GUNDERSON
Republican Caucus Chair

January 3, 2011

The Honorable Patrick E. Fuller, Chief Clerk
Wisconsin State Assembly
17 West Main Street, Suite 401
Madison, WI 53703

Dear Chief Clerk Fuller:

The Government Accountability Board staff has received a number of inquiries concerning the last day on which the Legislature may act to ensure that a proposed constitutional amendment can be placed on the ballot for the April 5, 2011 spring election. The Legislature must complete action on a proposed constitutional amendment no later than Tuesday, February 22, 2011.

By statute, all proposed constitutional amendments and any other measure or question that is to be submitted to a vote of the people shall be filed with the official or agency responsible for preparing the ballots for the election no later than 42 days before the election at which the amendment, measure or question will appear on the ballot. §8.37 Wis. Stats. Tuesday, February 22, 2011 is 42 days before the April 5, 2011 spring election.

In order for the legislative action to be filed in our office, it is sufficient for the chief clerks to notify our office by e-mail no later than Tuesday, February 22, 2011 the Legislature passed the resolution. It is not necessary that we receive the signed

resolution by the close of business on Tuesday, February 22, 2011.

In order to facilitate preparation for the April 2011 spring election, I suggest sponsoring legislators contact the office of the Attorney General to make arrangements for the preparation of the explanatory statement required by §10.01 (2)(c) Wis. Stats. The explanatory statement is published in the paper by the county clerk immediately before the election. It is also posted at the polling place on Election Day.

Please make the appropriate arrangements to ensure that this information is communicated to the members of the Legislature. If you or any member of the Legislature has a question, please contact my Elections Division Administrator, Nat Robinson, at 608-267-0715 or ask to speak to one of our Elections Specialists.

Government Accountability Board
KEVIN J. KENNEDY
Executive Director

State of Wisconsin
Office of the Secretary of State
Madison

December 7, 2010

To the Chief Clerk of the Assembly:

I, Douglas La Follette, Secretary of State of Wisconsin, do hereby certify that the following proposed amendments to the Constitution of the State of Wisconsin have been approved by the regular session of the 2009-2010 legislature and duly published as required by Section 1 of [Article XII of the Constitution](#):

Enrolled Joint Resolution 14 (first consideration)
Enrolled Joint Resolution 27 (first consideration)
Enrolled Joint Resolution 40 (first consideration)

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

2009 Assembly Joint Resolution 59

ENROLLED JOINT RESOLUTION 14 (FIRST CONSIDERATION)

To amend section 34 of [article IV of the constitution](#); relating to: continuity of government (first consideration).

Resolved by the assembly, the senate concurring, That:

SECTION 1. Section 34 of [article IV of the constitution](#) is amended to read:

[Article IV] Section 34. The legislature, in order to ensure continuity of state and local governmental operations in periods of emergency ~~resulting from enemy action in the form of an attack~~, shall (1) forthwith provide for prompt and

temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices, and (2) adopt such other measures as may be necessary and proper for attaining the objectives of this section.

Be it further resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for 3 months previous to the time of holding such election.

2009 Senate Joint Resolution 11

ENROLLED JOINT RESOLUTION 27 (FIRST CONSIDERATION)

To renumber section 23a of article IV; and to create section 23a (2) of [article IV of the constitution](#); relating to: veto power of county executive over appropriations (first consideration).

Resolved by the senate, the assembly concurring, That:

SECTION 1. Section 23a of [article IV of the constitution](#) is renumbered 23a (1) of [article IV of the constitution](#).

SECTION 2. Section 23a (2) of [article IV of the constitution](#) is created to read:

[Article IV] Section 23a (2) In approving an appropriation in part under sub. (1), the chief executive may not create a new word by rejecting individual letters in the words of the resolution or ordinance and may not create a new sentence by combining parts of 2 or more sentences of the resolution or ordinance.

SECTION 3. Numbering of new provisions. The new subsection (2) of section 23a of [article IV of the constitution](#) created in this joint resolution shall be designated by the next higher open whole subsection number in that section in that article if, before the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a subsection (2) of section 23a of [article IV of the constitution](#) of this state. If one or more joint resolutions create a subsection (2) of section 23a of article IV simultaneously with the ratification by the people of the amendment proposed in this joint resolution, the subsections created shall be numbered and placed in a sequence so that the subsections created by the joint resolution having the lowest enrolled joint resolution number have the numbers designated in that joint resolution and the subsections created by the other joint resolutions have numbers that are in the same ascending order as are the numbers of the enrolled joint resolutions creating the subsections.

Be it further resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for 3 months previous to the time of holding such election.

2009 Senate Joint Resolution 61

ENROLLED JOINT RESOLUTION 40
(FIRST CONSIDERATION)

Relating to: prohibiting partial vetoes of parts of bill sections (first consideration).

Resolved by the senate, the assembly concurring, That:

SECTION 1. Section 10 (1) (c) of [article V of the constitution](#) is amended to read:

[Article V] Section 10 (1) (c) In approving an appropriation bill in part, the governor may not create a new word by rejecting individual letters in the words of the enrolled bill, and may not ~~create a new sentence by combining parts of 2 or more sentences~~ reject a part of a bill section of the enrolled bill without rejecting the entire bill section.

Be it further resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for 3 months previous to the time of holding such election.

SEAT ASSIGNMENTS

Pursuant to Assembly Rule [2 \(4\)](#), for the 2011-2012 Legislative Session in the Assembly Chamber, Democrat members will be seated on the east (door) side of the center aisle. Republican members will be seated in the seats on the west (window) side of the center aisle and in seats numbered 91, 92, 93, 94 and 95. Representative Ziegelbauer will occupy seat number 85. Speaker Fitzgerald will occupy seat number 4. Seat number 86 will remain vacant.

<u>Member</u>	<u>Seat No.</u>
August	93
Ballweg	44
Barca	5
Berceau	11
Bernard Schaber	58
Bernier	43
Bewley	12
Bies	77
Brooks	91
Clark	7
Coggs, E	66
Cullen, D	64
Danou	87
Endsley	27
Farrow	71
Fields	88
Fitzgerald, J.	4
Gottlieb	69
Grigsby	60
Gunderson	19
Hebl	13
Hintz	57
Honadel	25
Huebsch	18
Hulsey	67
Jacque	74
Jorgensen	38
Kapenga	81

Kaufert	24
Kerkman	95
Kessler	68
Kestell	84
Kleefisch	72
Klenke	22
Knilians	42
Knodl	2
Knudson	70
Kooyenga	97
Kramer	3
Krug	55
Krusick	90
Kuglitsch	82
Larson, T	92
LeMahieu	28
Litjens	94
Loudenbeck	46
Marklein	51
Mason	65
Meyer	49
Milroy	36
Molepske Jr.	29
Mursau	26
Murtha	50
Nass	41
Nerison	53
Nygren	21
Ott, A	96
Ott, J	52
Parisi	37
Pasch	59
Petersen	73
Petrowski	80
Petryk	98
Pocan	14
Pope-Roberts	32
Pridemore	16
Radcliffe	30
Richards	10
Ringhand	31
Ripp	76
Rivard	79
Roys	8
Seidel	6
Severson	47
Shilling	33
Sinicki	61
Spanbauer	48
Staskunas	62
Steinbrink	63
Steineke	99
Stone	56
Strachota	45
Suder	1
Tauchen	100
Thiesfeldt	54
Tiffany	23
Toles	40
Tranel	75
Turner	9
Van Roy	78
Vos	15
Vruwink	34
Weininger	83
Williams.	20
Wynn	17
Young	89

Zamarripa 39
 Zepnick 35
 Ziegelbauer 85

Speaker Fitzgerald introduced a privileged resolution.

**INTRODUCTION AND REFERENCE
OF PROPOSALS**

Assembly Resolution 1

Relating to: notifying the senate and the governor that the 2011–2012 assembly is organized.

By Representatives J. Fitzgerald and Suder.
Privileged and read.

The question was: Shall **Assembly Resolution 1** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Barca, Berceau, Bernard Schaber, Bernier, Bewley, Bies, Brooks, Clark, E. Coggs, D. Cullen, Danou, Endsley, Farrow, Fields, Gottlieb, Grigsby, Gunderson, Hebl, Hintz, Honadel, Huebsch, Hulsey, Jacque, Jorgensen, Kapenga, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Krusick, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Mason, Meyer, Milroy, Molepske Jr., Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Petryk, Pocan, Pope–Roberts, Pridemore, Radcliffe, Richards, Ringhand, Ripp, Rivard, Roys, Seidel, Severson, Shilling, Sinicki, Spanbauer, Staskunas, Steinbrink, Steineke, Stone, Strachota, Suder, Tauchen, Thiesfeldt, Tiffany, Toles, Tranel, Turner, Van Roy, Vos, Vruwink, Weininger, Williams, Wynn, Young, Zamarripa, Zepnick, Ziegelbauer and Speaker Fitzgerald – 99.

Noes – None.

Absent or not voting – None.

Motion carried.

Speaker Fitzgerald introduced a privileged resolution.

**INTRODUCTION AND REFERENCE
OF PROPOSALS**

Assembly Resolution 2

Relating to: establishing the assembly committee structure and names for the 2011–2012 legislative session.

By Representatives J. Fitzgerald and Suder.
Privileged and read.

The question was: Shall **Assembly Resolution 2** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Barca, Berceau, Bernard Schaber, Bernier, Bewley, Bies, Brooks, Clark, E. Coggs, D. Cullen, Danou, Endsley, Farrow, Fields, Gottlieb, Grigsby, Gunderson, Hebl, Hintz, Honadel, Huebsch, Hulsey, Jacque, Jorgensen, Kapenga, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Krusick, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Mason, Meyer, Milroy Molepske, Jr., Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Petryk, Pocan, Pope–Roberts, Pridemore, Radcliffe, Richards, Ringhand, Ripp, Rivard, Roys, Seidel, Severson, Shilling, Sinicki, Spanbauer, Staskunas, Steinbrink, Steineke, Stone, Strachota, Suder, Tauchen, Thiesfeldt, Tiffany, Toles, Tranel, Turner, Van Roy, Vos, Vruwink, Weininger, Williams, Wynn, Young, Zamarripa, Zepnick, Ziegelbauer and Speaker Fitzgerald – 99.

Noes – None.

Absent or not voting – None.

Motion carried.

MESSAGE FROM THE SENATE

From: Robert J. Marchant, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate is organized and ready to proceed to the business of the 2011–2012 Session

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

Senate Joint Resolution 1

ACTION ON THE SENATE MESSAGE

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 1** be withdrawn and taken up at this time. Granted.

Senate Joint Resolution 1

Relating to: the session schedule for the 2011–2012 biennial session period.

By joint committee on Legislative Organization.

The question was: Shall **Senate Joint Resolution 1** be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives August, Ballweg, Barca, Berceau, Bernard Schaber, Bernier, Bewley, Bies, Brooks, Clark, E. Coggs, D. Cullen, Danou, Endsley, Farrow, Fields, Gottlieb, Grigsby, Gunderson, Hebl, Hintz, Honadel, Huebsch, Hulsey,

Jacque, Jorgensen, Kapenga, Kaufert, Kerkman, Kessler, Kestell, Kleefisch, Klenke, Knilans, Knodl, Knudson, Kooyenga, Kramer, Krug, Krusick, Kuglitsch, T. Larson, LeMahieu, Litjens, Loudenbeck, Marklein, Mason, Meyer, Milroy, Molepske Jr, Mursau, Murtha, Nass, Nerison, Nygren, A. Ott, J. Ott, Parisi, Pasch, Petersen, Petrowski, Petryk, Pocan, Pope–Roberts, Pridemore, Radcliffe, Richards, Ringhand, Ripp, Rivard, Roys, Seidel, Severson, Shilling, Sinicki, Spanbauer, Staskunas, Steinbrink, Steineke, Stone, Strachota, Suder, Tauchen, Thiesfeldt, Tiffany, Toles, Tranel, Turner, Van Roy, Vos, Vruwink, Weininger, Williams, Wynn, Young, Zamarripa, Zepnick, Ziegelbauer and Speaker Fitzgerald – 99.

Noes – None.

Absent or not voting – None.

Motion carried.

Representative Suder asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 1** be immediately messaged to the Senate. Granted.

ANNOUNCEMENTS

Representative Young asked unanimous consent that the Assembly adjourn in memory of Velma L. Coggs from Milwaukee, who passed away this morning at the age of 64. Ms. Coggs is the sister of Senator Spencer Coggs and cousin of Representatives Elizabeth Coggs and Leon Young. Granted.

Representative Nerison asked unanimous consent that the Assembly adjourn in honor of his daughter Erin Nerison, on the occasion of her 25th birthday on January 4. Granted.

Representative Richards asked unanimous consent that the Assembly adjourn in honor of the Honorable Gary E. Sherman, on the occasion of his appointment to the Wisconsin District IV Court of Appeals. Granted.

Representative Barca asked unanimous consent that the Assembly adjourn in honor of Representative Kessler for his 50 years of public service. Granted.

Representative Vos asked unanimous consent that the Assembly adjourn in honor of the three Republican Representatives who are resigning their posts to join Governor Walker’s administration, Representative Huebsch, Representative Gottlieb and Representative Gunderson. Granted.

Representative Wynn asked unanimous consent that the Assembly adjourn in honor of Sergeant First Class Jack Schulze, Staff Sergeant Paul Baumgardt, Sergeant Ryan Koelemay, Sergeant Kyle Frost and Specialist Annette Eis, of the 132nd United States Army Band Brass Quintet. Granted.

Representative Wynn asked unanimous consent that the Assembly adjourn in honor of Staff Sergeant Dennis T. Bagley, Staff Sergeant Matthew D. Renkas, Sergeant Andrew R. Follett and Corporal Dustyn A. Flavell, of the United States Marine Color Guard, Company G, 2nd Battalion, 24th Marines, 4th Marine Division (Reinforced), Fleet Marine Forces Reserve. Granted.

Representative Wynn asked unanimous consent that the Assembly adjourn in honor of Whitney Clapper from Cedarburg who sang the “Star Spangled Banner” during today’s ceremony. Granted.

ADJOURNMENT

Representative Suder moved that the Assembly stand adjourned pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

3:56 P.M.